IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 08th day of August 2005
Criminal Misc. Bail Application No.684/2005
Order on the bail application of accused

CRIMINAL SIDE

1. Sarjeet Mitra
   S/o Rajendra Mitra
   R/o Shakti Farm No.1
   P.S. Sitarganj
   District U. S. Nagar
2. Vinod Banarjee
   S/o Narayan Banerjee
   R/o Five Quarter
   Bikunthpur
   P.S. Sitarganj
   District U. S. Nagar …….Applicants

Versus

State of Uttaranchal ……..Opposite Party

Arising out of case crime No.417 of 2005
U/s 51/52 Wild Life (Protection) Act 1972
P.S. Sitarganj
District – U. S. Nagar

Hon'ble J. C. S. Rawat, J.

Heard Sri R. S. Sammal learned counsel for the applicants and learned A.G.A. for the State.

Perused the record. It has been alleged that the doctor (veterinary) has not identified the spices of alleged animal. Hence, it was referred to Wild Life Institute, who has not given any opinion with regard to the species that it may be tiger, panther or tigress. It was contended on behalf of the applicants that there is no evidence that he had killed the animal. It was further contended that the confession before the police is not admissible. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicants-accused be released on bail on executing a personal bond each and two sureties each in the like amount to the satisfaction of Judicial Magistrate, Khatima.

(J.C.S. Rawat, J.)

Dated 08.08.2005

LSR